

AO 91 (Rev. 11/11) Criminal Complaint

SEP - 4 2019

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

JULIA C. DUBLEY, CLERK
BY: *A. Rust*
DEPUTY CLERK

United States of America

v.

Kayla Quesenberry

Case No. 1:19mj103

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 30, 2019 in the county of Washington in the
Western District of Virginia, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841(a)

Distribution of a Controlled Substance

This criminal complaint is based on these facts:

SEE ATTACHED

☐ Continued on the attached sheet.
Complainant's signature

ATF Special Agent Justin Masuhr

Printed name and title

Sworn to before me and signed in my presence.

Date:

9/4/19
Judge's signature

City and state:

Bristol, VA

Honorable Magistrate Pamela Meade Sargent

Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

IN THE MATTER OF THE ARREST OF:)
Kayla Quesenberry,)
)

UNDER SEAL

Case No. _____

**AFFIDAVIT IN SUPPORT OF CRIMINAL
COMPLAINT AND ARREST WARRANTS**

1. I, Justin T. Masuhr, a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Washington Field Division, Bristol Post of Duty, having been duly sworn, depose and state as follows:

INTRODUCTION

2. I am an investigative law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations and to make arrests for the offenses enumerated in Section 2516 of Title 18, United States Code.
3. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since February 2008. I am a graduate of the Federal Law Enforcement Training Academy and the ATF National Academy located in Brunswick, GA. In my capacity as a Special Agent with the ATF, I am educated in Federal Criminal Law and I am responsible for enforcing the same pursuant to the United States Constitution and Federal Criminal Code. The ATF is an agency of the Executive Branch of the United States government and is charged with prosecuting violations of federal law.

STATEMENT OF PROBABLE CAUSE

4. In the days prior to May 30, 2019, DEA Confidential Informant #302 (hereinafter referred to as CI) contacted Kayla QUESENBERRY and arranged a meeting between QUESENBERRY and an ATF Undercover Cover Agent (ATF UC) to purchase approximately 3 ounces of crystal methamphetamine (meth) at the direction of law enforcement.
5. On May 28, 2019, law enforcement spoke with the CI placed a controlled phone call to QUESENBERRY.

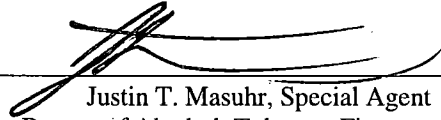
6. On May 30, 2019, ATF Undercover placed a phone call to QUESENBERRY and arranged a meeting time of 11:45am to make a controlled purchase for 3 ounces of crystal methamphetamine from QUESENBERRY.
7. QUESENBERRY and the ATF UC agreed to meet at 3130 Lee Hwy Bristol, Virginia a Taco Bell off Exit 5 to conduct the transaction. The Taco Bell is located in the western district of Virginia.
8. At approximately 1135 hrs, the ATF UC drove to the Taco Bell and set up in the parking lot waiting for QUESENBERRY. At approximately 1131 hrs, the ATF UC made contact with QUESENBERRY on her telephone (423-429-5566). At approximately 1211 hrs, a white Buick Rendezvous with Virginia registration USE-2960 pulls in next to the ATF UC vehicle. Surveillance witnesses ATF UC get out of his vehicle and into the white Buick Rendezvous. A few minutes passed and the ATF UC exited the target vehicle and got back into his vehicle. QUESENBERRY then left the Taco Bell and went to the Walmart. DEA SA Mueller and DEA TFO Prater followed her on foot and was able to identify QUESNEBERRY in person inside Wal-Mart.
9. At 12: 11 p.m., QUESENBERRY pulled into the parking lot of the Taco Bell driving a white Buick. QUESENBERRY parked on the driver's side next to the vehicle driven by ATF UC. ATF UC got out of his vehicle and into the white Buick occupied by QUESENBERRY. ATF UC handed \$1,150 dollars to QUESENBERRY. QUESENBERRY retrieved a clear zip lock bag containing suspected crystal methamphetamine from her groin area and handed it to the ATF UC. QUESENBERRY counted the money. Following the purchase, THE ATF UC got back into his vehicle and QUESENBERRY drove into the Walmart parking lot.
10. At approximately 1214 hrs, the ATF UC left Wal-Mart with ATF SA Masuhr following the ATF UC for safety. Once all agents were back at the stage, the ATF UC turned over the suspected crystal methamphetamine to SA Masuhr.
11. SA Masuhr placed the suspected meth into evidence. The suspected meth was weighed in the clear plastic baggie to have a combined weight of 3.05 ounces and had a positive color reaction for amphetamines when field-tested.

CONCLUSION

12. Based on the aforementioned factual information and my training and experience in criminal investigations, I submit that probable cause exists to conclude Kayla

Quesenberry did knowingly and willingly distribute a controlled substance in violation of 21 U.S.C. § 841(a).

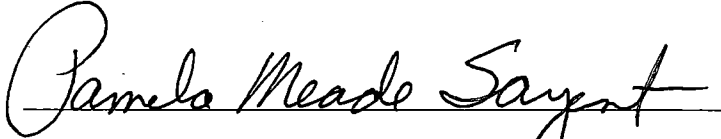
I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



Justin T. Masuhr, Special Agent

Bureau of Alcohol, Tobacco, Firearms and Explosives

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 04th DAY OF SEPTEMBER 2019



HONORABLE JUDGE PAMELA MEADE SARGENT
UNITED STATES DISTRICT COURT IN THE
WESTERN DISTRICT OF VIRGINIA